

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Rochelle Woods,

Plaintiff,

vs.

Costco Wholesale Corporation,
dba Costco wholesale #372,

Defendant.

Court File No:23-CV-01704
Judge:_____

**DEFENDANT'S ANSWER TO
COMPLAINT**

Defendant Costco Wholesale Corporation, for its Answer to Plaintiff's Complaint, states and alleges as follows:

1. Defendant lacks sufficient information to admit or deny the allegations contained in paragraph I of Plaintiff's Complaint.

2. Defendant admits that Costco Wholesale Corporation owns and operates a Costco Wholesale Warehouse located at 12547 Riverdale Blvd., Coon Rapids, Minnesota, as alleged in paragraph II of Plaintiff's Complaint. Defendant denies the remainder of the allegations contained in paragraph II.

3. Defendant admits that it is a corporation organized under the State of Delaware with its principal place located in Issaquah, Washington. Defendant further admits that its registered agent for service is CT Corporation, which has an address of 1010 Dale Street North, in St. Paul, Minnesota. Defendant denies the remainder of the allegations contained in paragraph III of Plaintiff's Complaint.

4. Defendant admits that Plaintiff was at the Coon Rapids, Minnesota Costco Wholesale Warehouse located at 12547 Riverdale Blvd., Coon Rapids, Minnesota at approximately 5:00 p.m. on May 29, 2021.

5. Defendant admits that Plaintiff fell while at the Coon Rapids, Minnesota Costco Wholesale Warehouse on May 29, 2021, but otherwise denies the allegations contained in paragraph V of Plaintiff's Complaint.

6. Paragraph VI of Plaintiff's Complaint merely makes a purported statement of law, and therefore requires no response. With that said, Defendant acknowledges that it had a duty to use reasonable care in the maintenance and operation of its property.

7. Defendant lacks sufficient information to admit or deny the allegations contained in paragraph VII of Plaintiff's Complaint regarding Plaintiff's alleged injuries. Defendant denies the remainder of the allegations contained in paragraph VII of Plaintiff's Complaint.

8. Defendant lacks sufficient information to admit or deny the allegations contained in paragraph VIII of Plaintiff's Complaint.

9. Defendant denies the allegations contained in paragraph IX of Plaintiff's Complaint.

10. Defendant affirmatively alleges that if Plaintiff was injured, as alleged in Plaintiff's Complaint, her injuries were the result of Plaintiff's own fault or negligence or the negligence or fault of other third parties over whom Defendant had no control and for whose actions Defendant cannot be held liable.

11. Defendant affirmatively alleges that Plaintiff's claims are barred by Plaintiff's comparative fault or contributory negligence.

12. Defendant affirmatively alleges that some or all of Plaintiff's claims may be barred by Plaintiff's failure to mitigate her damages.

13. Defendant hereby demands a trial by jury.

WHEREFORE, Defendant respectfully requests that Plaintiff's Complaint be dismissed, and that Defendant be awarded its costs and disbursements incurred herein.

BASSFORD REMELE
A Professional Association

Dated: June 7, 2023

By s/Andrew L. Marshall
Andrew L. Marshall (MN #176849)
100 South 5th Street, Suite 1500
Minneapolis, MN 55402-1254
Telephone: (612) 333-3000
Facsimile: (612) 333-8829
amarshall@bassford.com

*Attorneys for Costco Wholesale Corporation, dba
Costco Wholesale #372*